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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------------------|-------------|----------------------|---------------------|--------------------|
| 10/594,488 | 09/27/2006 | Bas Maria Putter | NL040329US1 | 1331 |
| 65913 | 7590 | 09/18/2007 | | EXAMINER |
| NXP, B.V. | | | | JEAN PIERRE, PEGUY |
| NXP INTELLECTUAL PROPERTY DEPARTMENT | | | | |
| M/S41-SJ | | | ART UNIT | PAPER NUMBER |
| 1109 MCKAY DRIVE | | | | 2819 |
| SAN JOSE, CA 95131 | | | | |
| | | | NOTIFICATION DATE | DELIVERY MODE |
| | | | 09/18/2007 | ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/594,488 | PUTTER, BAS MARIA |
| | Examiner | Art Unit |
| | Peguy JeanPierre | 2819 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 9/27/2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 2-6 is/are allowed.
- 6) Claim(s) 7 is/are rejected.
- 7) Claim(s) 1 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>9.27.2006</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claim 1 is objected to because of the following informalities: the claim recites in the preamble a digital to analog conversion instead of an analog to digital converter. Appropriate correction is required.

Drawings

3. The drawings are objected to because blocks in Figures 1 and 3 are not labeled. For, instance, in Figure 1, block N being identical to block E it is very difficult to determine which block represents the integrator and which one is the edge detector. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application

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must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities: the preferred layout (Background of the Invention, Summary of the Invention etc...) is missing.

Appropriate correction is required.

5. The abstract of the disclosure is objected to because it is not on a single sheet paper and is not in conformity with PTO standard. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claim 7 is rejected under 35 U.S.C. 102(e) as being anticipated by Madsen et al. (USP 6,952,174).

Madsen et al. disclose in Figure 3, a sigma delta analog to digital converter that typically generates a one-bit digital stream (see col. 3, lines 25-28); the output of the

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converter is coupled to a storage medium to be subsequently processed. The converter comprises a clock generator that clocked the plurality of circuit elements of the converter; the converter is configured to reduce the number of clock periods by less than 40% of the total number of clock periods of the one bit digital stream of a signal track (see col. 8, lines 18-27); the signal track is an audio signal (see Fig. 1).

Allowable Subject Matter

8. Claim 1 would be allowable if rewritten to overcome the objection set forth above.
9. Claims 2-6 are allowed.
10. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not teach a method for reducing inter-symbol interference by converting an input signal to a one-bit digital signal stream with a sigma configuration having a low pass filter coupled to the input of a quantizer, generating a control signal representative of the edges of the one-bit digital signal stream, multiplying the control signal by the one bit digital signal stream and applying the result of the multiplication together with the output of the low pass filter to the input of the quantizer.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peguy JeanPierre whose telephone number is (571) 272-1803. The examiner fax phone number is (571) 273-1803.

Peguy JeanPierre
Peguy JeanPierre
Primary Examiner